

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DISTRICT**

UNITED STATES OF AMERICA,)
)
)
Plaintiff)
)
vs.) **CASE NO. 4:15CV-181-JM**
)
)
MAHMOOD AHMAD, M.D. and)
UNITED PAIN CARE, LTD. d/b/a)
UNITED PHARMACY,)
)
Defendants)

MOTION FOR SUMMARY JUDGMENT AND MOTION TO DISMISS

COMES NOW the Defendants, Mahmood Ahmad, M.D. and United Pharmacy, by and through their counsel, and for their motion for summary judgment and motion to dismiss pursuant to Rules 56(c) and 12(d)(b) of the Federal Rules of Civil Procedure and Rule 56.1(a) of the Local Rules of the Eastern District of Arkansas, state that in accordance with the grounds set forth in the attached Memorandum Brief in Support of this motion that the Court should enter summary judgment because there is no genuine issue of material fact and Defendant Ahmad is entitled to judgment as a matter of law and that the Complaint should be dismissed because application of 21 U.S.C. § 842(a)(5) to the Defendants violates their rights under the Due Process Clause of the Fifth Amendment to the United Constitution.

Respectfully submitted,

 by S.A.P.

TIMOTHY O. DUDLEY
114 S. Pulaski Street
Little Rock, AR 72201
Tel: (501) 372-0080
Fax: (501) 372-2999
AR Bar No: 82055
todudley@swbell.net

and



SAMUEL A. PERRONI
424 West 4th Street, Suite A
North Little Rock, AR 72114
Tel: (501) 374-2818
Fax: (501) 353-0517
AR Bar No: 74119
sperroni.perronilaw@gmail.com

CERTIFICATE OF SERVICE

I, Samuel A. Perroni, do hereby certify that a true and correct copy of the above and foregoing Motion has been sent to the following via electronic mail on this 1st day of October, 2015:

Shannon Smith, AUSA
P.O. Box 1229
Little Rock, AR 72203


SAMUEL A. PERRONI